U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
2214 Whitesboro Street - Removal Polrep
Initial and Final Removal Polrep

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject:	**POLREP #1** **Initial/Final (PJ)** **2214 Whitesboro Street** **A26H** **Utica, NY** **Latitude: 43.1108400 Longitude: -75.2642500**
To:	Judith Enck, EPA Beckett Grealish, USEPA Region 2, ERRD, RAB Tim Grier, USEPA Headquarters 5202G Mark Pane, USEPA, Region 02, ERRD-RAB Lisa Plevin, EPA Joe Rotola, USEPA Region 02 Kimberly Staiger, Region 2, ERRD, RPB Eric J. Wilson, USEPA, Region 02, ERRD-RAB George Zachos, USEPA Region 2 ERRD Walter Mugdan, ERRD Director John Prince, ERRD Lou Carrock, NYSDOL Dan Cozza, City of Utica Dept. of Codes James Doyle, EPA ORC Virginia Capon, EPA ORC
From:	Keith Glenn, OSC/Environmental Scientist
Date:	6/14/2016
Reporting Period:	February 22, 2016 through June 9, 2016

1. Introduction

1.1 Background

Site Number:	A26H	**Contract Number:**	
D.O. Number:		**Action Memo Date:**	
Response Authority:	CERCLA	**Response Type:**	Emergency
Response Lead:	PRP	**Incident Category:**	Removal Action
NPL Status:	Non NPL	**Operable Unit:**	
Mobilization Date:	5/3/2016	**Start Date:**	5/3/2016
Demob Date:	5/26/2016	**Completion Date:**	6/9/2016
CERCLIS ID:	NYD002238665	**RCRIS ID:**	
ERNS No.:		**State Notification:**	02/22/2016
FPN#:		**Reimbursable Account #:**	

1.1.1 Incident Category

Due to the release of a CERCLA hazardous substance, an emergency response is necessary to mitigate the threats associated with the conditions presented at the Site. The PRP has voluntarily agreed to perform the actions necessary to address these conditions. This removal action is considered a "PJ"; a PRP Removal with No Enforcement Instrument. As such, EPA will provide oversight of the clean-up operations.

An Action Memorandum (or equivalent) was not required for this voluntary PRP emergency removal since this response did not lead to action requiring Superfund activity under CERCLA 104(a) or an action whereby a PRP performs work under an Agency enforcement instrument.

1.1.2 Site Description

Historical topographic maps indicate the Site was constructed in the late 1940s. By 1988 Utica Converters owned and operated the facility, manufacturing fabric materials associated with tires. In 2006 Hyosung USA acquired Utica Converters and continued to manufacture fabric reinforcement for tires until 2011, when operations ended. In March 2013 Hyosung USA sold the property to 2214 Whitesboro Street, LLC, who has an affiliation with IAAS Worldwide, an auction and liquidation firm. Most of the equipment, supplies and furniture were auctioned off prior to scrappers being allowed to remove valuable wire and other components from areas throughout the facility. All activities associated with the removal of materials ceased when State and local officials issued stop work orders in August 2014. The facility has been abandoned since.

1.1.2.1 Location

The Site is located at 2214 Whitesboro Street (43.11084 N, 75.26425 W) in the City of Utica, Oneida County, New York. The 3.6 acre property is designated as one parcel of land (Tax ID: 306.17-1-60). The Site consists of a main manufacturing building constructed of brick, steel and wood. Attached to the main building is a tower, approximately 10 stories in height, which holds power generating equipment. A brick and concrete structure added to the west of the main building is approximately 6 stories in height. Additional structures added to the north of the main building include those used as break areas, locker rooms, a cafeteria, loading/unloading areas and additional warehouse space. Administrative offices were located in a red-brick building located to the east. Approximately 8 structures are interconnected to join the facility.

The area surrounding the Site is mixed use with commercial and light industry comingled with residential properties. The Site is bounded to the north by Oriskany Street, where numerous strip malls and light industrial companies are located. Champlin Street borders the Site to the west and Whitesboro Street to the south. Residential properties are located along both of these streets. A vacant warehouse is located to the east.

1.1.2.2 Description of Threat

In August 2014 the City of Utica Code Enforcement noticed scrapping operations being conducted at the Site, causing pipe insulation to be thrown throughout. Holes in the exterior walls, created when equipment was removed from the main building, were observed. The NYSDOL was contacted and a joint inspection of the facility was conducted. Approximately 150 linear feet of suspect asbestos-containing material (ACM) in the form of pipe wrap was observed on the ground. NYSDOL collected a sample of the disturbed material and submitted it for confirmation laboratory analysis. Results detected asbestos in the material sampled. An additional several hundred linear feet of suspect ACM pipe wrap was observed throughout the remaining sections of the facility, much of which was labeled as asbestos-containing. Although some were in poor condition, most of the pipe runs were still in place.

An October 7, 2014 asbestos analytical report generated by AmeriSci New York suggests the property owner hired a demolition company and an engineering firm. The engineering firm collected 42 samples from material located throughout the structures including pipe insulation, window glaze, stack door packing, breeching jackets, mastic, duct insulation, gypsum wall and joint compound. Samples were sent to a laboratory and analyzed for asbestos. Of the 42 samples, 9 resulted in a positive identification for asbestos. Chrysotile asbestos was detected between 2.8 and 80% in materials such as window caulk, tower insulation, AHU door packing, gaskets and canvas covers.

In November 2014 an additional 16 samples were collected by the engineering firm and submitted for laboratory asbestos analysis. Samples collected were limited to roofing materials including perlite, vapor barrier, flashing and built-up roofing. Of the samples collected, one resulted in a positive identification for asbestos. Friable chrysotile asbestos was detected in silver metal flashing at 19.1%.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

On February 25, 2016 EPA visited the Site and performed an exterior survey from the surrounding streets. Large sections of missing windows and brick were observed along the north facing façade of the main, 3-story building. Ventilation fans located on the north and south walls of the building were rotating due to the winds, allowing air to move through the structure. Windows throughout the facility, including those on top of the tower, were observed to be broken or missing. The western and southern borders were secured with fencing, however the entire northern boundary with Oriskany Street was open and accessible. Vehicular tire tracks were observed in the stone driveway indicating potential trespassers.

The nearest residential property is located 50 feet to the south along Whitesboro Street. People of various ages, including kids, were observed walking along Whitesboro and Oriskany Streets moving to and from shops and businesses.

On March 29, 2016 EPA performed an interior inspection of the facility along with City of Utica Code Enforcement, the property owner and a prospective purchaser. The inspection revealed the presence of asbestos-containing material throughout the facility. Most of the ACM was in the form of pipe wrap, which was labeled as containing asbestos. Significant disturbance of material was observed on the third floor of the main building. Piping that was wrapped in suspect ACM had been broken into several sections, removed from the ceiling and staged in a pile. Previous sampling activities conducted by the NYSDOL indicated the presence of asbestos in this material. The ACM was observed to be near one of the ventilation fan units that was not sealed up, providing access to the environment. Additionally, roof access doors continued to open and close allowing for additional ventilation of the third story. Pipe wrap located on the first and second floors near the openings appeared to be mostly intact, however several areas were observed to be in poor condition, with sections of wrap broken, crumbling and falling to the floor.

Warning signs, indicating the presence of asbestos, were observed on all interior floors of the tower. Suspect ACM covering equipment and piping was observed throughout. Several areas of suspect ACM appeared to be compromised with material hanging off equipment, crumbling to the floor and loosely attached to walls. Broken windows were observed on the top floor of the tower, providing access to the environment.

Evidence of a previous asbestos abatement project was observed near the north entrance of the facility. Red caution tape outlined a work area and several feet of pipe was observed to be wrapped in plastic, suggesting removal activities were previously started but never completed. This area was located near the overhead door that had a hole in it, potentially caused by trespassers. No other areas in the facility were observed to be undergoing abatement activities.

Other areas throughout the facility were observed to hold asbestos containing pipe wrap including the locker rooms, cafeteria, additional warehouse space and offices. A majority of this wrap appeared to be labeled and in an uncompromised state.

Evidence of trespassers was observed on various floors of the administrative office building. Fire extinguishers had been expelled, coating the floors, walls and furniture with a white powder. Shoe prints were observed on the floor along with messages written on desks through the powder using fingers.

Auction tags were observed on office furniture and the few remaining pieces of equipment. Evidence of wire scrapping was observed as piles of exterior wire coating were found on the first floor of the main building.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

On April 1, 2016 the property owner notified EPA with intent to voluntarily address the concerns at the

Site. However, the property owner failed to produce a schedule of events for addressing the release of asbestos. On April 19, 2016 EPA delivered a Notice of Federal Interest to the property owner giving until May 4th to notify EPA his willingness and ability to provide a schedule of activities with dates of completion, list of personnel to perform the work and names of those responsible for ensuring the timeliness and appropriateness of actions taken.

2.1.2 Response Actions to Date
On May 1, 2016 a prospective purchaser contacted EPA and notified the Agency that a voluntary action will be taken to address the issues associated with the release of asbestos from the Site. Under agreement with the property owner, the prospective purchaser was designated to perform any necessary actions. On or around May 3, 2016 the prospective purchaser mobilized to the Site to commence removal operations. On May 5, 2016 the prospective purchaser contacted EPA and notified the Agency that several actions have been completed, including sealing the hole in the garage door that provided unauthorized access to the interior of the facility, boarding the holes in the facade of the main building and securing the exhaust units around the disturbed ACM. On May 10, 2016 the prospective purchaser notified EPA that all broken windows located on the top floor of the tower have been sealed with plywood, metal and sheathing.

On May 26, 2016 EPA visited the Site and met with NYSDOL, City of Utica Code Enforcement and the prospective purchaser. An exterior survey showed that all holes in the facade were boarded with plywood and painted to match the color of the remaining exterior wall. The windows located on the top floor of the tower were observed to be closed and/or secured with wood and sheathing. The hole located in the bottom of a garage door that provided unauthorized access was boarded and secured.

An interior survey of the facility confirmed the use of plywood and other materials used to secure the holes in all three floors of the north facing facade of the main building. The roof access door located on the third floor of the main building was observed closed and secured. Additionally, the exhaust unit located near the disturbed ACM was found to be sealed with a proper cover from the inside. All louvers attached to the ventilation units were observed in the closed position. On June 9, 2016 the contractor for the PRP submitted photos of the remaining ventilation units associated with the main building in the closed position. All issues associated with the release or potential release of asbestos-containing material were found to have been addressed.

On June 9, 2016, EPA determined the emergency had been stabilized. EPA contacted state and local partners to notify them the removal action was completed.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)
The current property owner, 2214 Whitesboro Street L.L.C. has been identified as a PRP for the Site.

2.1.4 Progress Metrics
All operations required to address the concerns of the Site have been completed.

Waste Stream	***Medium***	***Quantity***	***Mitigation Controls***	***Manifest #***	***Treatment***	***Disposal***
Asbestos Containing Material	Debris	Not Documented	Holes in north facade were sealed; windows in the water tower were covered and secured; trespassing access points were closed and secured; roof access vents were closed and locked; ventilation units were sealed, covered and secured.	N/A	N/A	N/A

2.2 Planning Section

No additional EPA activities are planned for this removal action as conditions at the Site have been addressed by a representative of the PRP. NYSDOL has notified the property owner and prospective purchaser that an appropriate asbestos survey is necessary prior to occupation and/or remodeling of the buildings.

2.3 Logistics Section

All logistics to perform the removal action are being addressed by the PRP. EPA is not supplying logistical support for the removal action.

2.4 Finance Section

2.4.1 Narrative

Not Applicable for this removal action as the PRP is undertaking operations.

2.5 Other Command Staff

2.5.1 Safety Officer

Safety of the on-site personnel is being handled by the PRP.

2.5.2 Liaison Officer

EPA is acting in capacity as the liaison between operations performed by the PRP and updating the City of Utica Code Enforcement and New York State Department of Labor.

2.5.3 Information Officer

Not applicable for this removal action.

3. Participating Entities

3.1 Unified Command

Unified Command is not activated for this removal action.

3.2 Cooperating Agencies

New York State Department of Labor

City of Utica Code Enforcement

4. Personnel On Site

During the removal action 1 EPA OSC was located on Site. Since actions have been completed to address the concerns at the Site, no EPA personnel remain.

5. Definition of Terms

Definition of Terms

Assisting and Cooperating Agencies - Agencies who are assisting the EPA response, but are not a part of Unified Command.

E Goods - Electronic machines which contain hazardous components. Emergency Response - any activity undertaken by the Operations Section which mitigated an immediate threat to human health or the environment.

FRP - Facility Response Plan. Under the Clean Water Act, as amended by the Oil Pollution Act, a plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of such a discharge, of oil. Required by certain facilities that store and use large quantities of oil.

Household Hazardous Waste - Small quantity waste from households that contain corrosive, toxic, ignitable, or reactive ingredients is hazardous. This includes pesticides, paint, solvents, etc.

Hazardous Debris - Debris which contains compounds that make it inappropriate for municipal landfill

disposal

Monitoring - Using equipment which will give limited real-time information about constituents in environmental media. This method is used most often for air and water testing.

RCRA - Resource Conservation and Recovery Act.

RMP- Risk Management Plan. Under the Clean Air Act, certain facilities with large quantities of toxic potentially air born chemicals whose releases may impact human populations are required to submit to EPA a plan for hazard assessment, prevention, and emergency response.

Sampling -The process of taking environmental media for analysis at a laboratory of its constituents. These tests may require multiple days to complete, but test for a wider array of constituents than monitors.

Small Container - any container with a potential capacity of less than 5 gallons.

TRI - Toxic Release Inventory - A publicly available EPA database that contains information on toxic chemical releases and other waste management activities reported annually by certain covered industry groups as well as federal facilities. This inventory was established under the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and expanded by the Pollution Prevention Act of 1990.

Unified Command - A structure based on the Incident Command System (ICS) that brings together the Incident Commanders of all major organizations involved in the incident in order to coordinate an effective response, while at the same time allowing each to carry out their own jurisdictional, legal, and functional responsibilities.

White Goods - Large home electronics such as refrigerators, washing machines, and dryers.

WW - Wastewater Treatment Facilities

6. Additional sources of information

6.1 Internet location of additional information/report

Review the documents section of epaosc.org/2214WhitesboroStreet for additional information.

6.2 Reporting Schedule

No reporting schedule has been generated for this Site.

7. Situational Reference Materials

epaosc.org/2214WhitesboroStreet